

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CASE NO. 2:06cr298-WKW
)
REGINALD LASHAWN SAWYER)

UNITED STATES OF AMERICA'S MOTION
FOR A FINAL ORDER OF FORFEITURE

The United States of America, by its undersigned counsel, respectfully submits its Motion for a Final Order of Forfeiture in the above-entitled case and states as follows:

That on November 26, 2007, this Court entered a Preliminary Order of Forfeiture ordering defendant Reginald Lashawn Sawyer to forfeit:

One Glock, model 22, .40 caliber pistol,
bearing serial number FRU000.

That notice of this forfeiture and of the intent of the United States to dispose of the firearm in accordance with the law as specified in the Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the firearm was published in the Montgomery Independent newspaper on February 21, 28 and March 6, 2008; and,

That no petitions of interest were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter a Final Order of Forfeiture as proposed in the attached Order.

Defense counsel does not oppose entry of a Final Order of Forfeiture.

Respectfully submitted this 9th day of April, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/Tommie Brown Hardwick
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CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

/s/Tommie Brown Hardwick
TOMMIE BROWN HARDWICK
Assistant United States Attorney

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UNITED STATES OF AMERICA)
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 v.) CASE NO. 2:06cr298-WKW
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REGINALD LASHAWN SAWYER)

FINAL ORDER OF FORFEITURE

WHEREAS, on November 26, 2007, this Court entered a Preliminary Order of Forfeiture, ordering defendant Reginald Lashawn Sawyer to forfeit the following firearm:

One Glock, model 22, .40 caliber pistol,
bearing serial number FRU000.

The United States published notice of this forfeiture in the Montgomery Independent newspaper in accordance with the law and as specified in the Preliminary Order, and further notified all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the firearm;

No timely petition has been filed; and,

The Court finds that defendant Reginald Lashawn Sawyer had an interest in the firearm that is subject to forfeiture pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c). The United States has established the requisite nexus between such firearms in the commission of the violation of Title 18, United States Code, Section 922(g)(1) and Section 924(c)(A)(i).

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The following firearm is hereby forfeited to the United States pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c):

One Glock, model 22, .40 caliber pistol,
bearing serial number FRU000.

2. All right, title and interest to the firearm described above is hereby condemned, forfeited and vested in the United States of America and shall be disposed of according to law;

3. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and,

4. The Clerk of the Court shall forward two certified copies of this Order to the United States Attorney's Office.

SO ORDERED this the ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE